

**City of Forest Grove**  
**Business Incentive Program Application & Agreement**  
**2022**

**Applicant Name:**\_\_\_\_\_

**Business Name and Address:**\_\_\_\_\_

\_\_\_\_\_  
**Email address**\_\_\_\_\_ **Square footage:**\_\_\_\_\_

**Estimated Number of Jobs (within first 6 months):**FT\_\_\_\_\_PT\_\_\_\_\_

1. By completing this application, applicant represents and warrants that Applicant meets all of the qualifications of the Business Incentive Program as set forth in this Program Application and Agreement.
2. Applicant agrees to apply for a commercial or industrial tenant improvement building permit on or before 30 days from the date of this Agreement. Applicant anticipates receiving a permanent Certificate of Occupancy prior to December 31, 2022.
3. Applicant agrees to:
  - a. Commence construction within 30 days of issuance of commercial tenant improvement building permit.
  - b. Vigorously and continuously perform the construction work, and
  - c. Seek a permanent Certificate of Occupancy within 180 days of issuance of the commercial tenant improvement building permit or before December 31, 2022, whichever comes first.
4. Authority and Eligibility. Resolution 2022-14 adopted the Business Incentive Program for occupying vacant space by waiving certain fees and charges and allowing for an installment payment plan option for water system development charges for a business that meets the following criteria:
  - The business will legally occupy an existing commercial or industrial building space that is zoned commercially or industrially zoned within the City that was previously constructed and had received a final inspection and Certificate of Occupancy on or before January 1, 2018, and
  - EITHER, the business currently exists within the City and is:
    - a. Expanding into adjacent commercial or industrial space; or
    - b. Opening a new and/or additional satellite location; or
    - c. Relocating from a former location and will occupy additional square footage in the new location; AND
    - d. Expanding, opening or relocating to a vacant commercial or industrial space that will add a minimum of 10% additional square footage to their existing size, AND

- e. The business receives a permanent Certificate of Occupancy for a commercial tenant improvement between January 1, 2022 and December 31, 2022.
- OR, the business is new to the City and will:
  - a. Legally occupy a formerly vacant commercial or industrial space; and
  - b. The business receives a permanent Certificate of Occupancy for commercial or industrial improvements between January 1, 2022 and December 31, 2022.

EXCEPTIONS: Notwithstanding the foregoing, a business does not qualify for fee or charge waiver or reduction if the business:

- Relocates or expands from elsewhere in the City of Forest Grove but occupies less than 10% additional square footage at the new or expanded location.
- Expands existing commercial or industrial space by constructing either a new building or an addition to a building that adds additional floor area;
- Does not commence tenant improvements work within 30 days of issuance of commercial or industrial tenant improvement building permit or fails to obtain a permanent Certificate of Occupancy within 180 days of issuance of said tenant improvement building permit;
- Is a government office or agency;
- Applies for permits limited to repair and/or maintenance of structures at the businesses' existing location;
- Is located in a residential zone.
- Applies for permits that do not expand the occupiable square footage (i.e. individual plumbing, mechanical permits not associated with a commercial tenant improvement building permit);
- Is operating in violation of any local, state, or federal law.

#### 5. Fee Waivers and Incentives Defined

Businesses that meet program agreement requirements can receive the following fee waivers and incentives:

- Waiver of first two years of business license fee including initial application fee. Fee savings of up to \$275
- Waiver of Sign Permit fees up to \$1,000 if the applicant meets certain design standards.
- Water System Development Fee can be paid in installments over a period up to 10 years as defined in Attachment A.

#### 6. In consideration for the payment and waiver of Applicant's fees and charges by the City pursuant to section five of this Agreement, Applicant agrees to:

- a. Pay the City of Forest Grove the full, unreduced amount of such fees and charges as would otherwise be due if Applicant is in default of section three of this Agreement; and

- b. Pay Forest Grove the full amount of such fees and charges if permanent Certificate of Occupancy is not issued on or before December 31, 2022.

7. Applicant by its signature, acknowledges that if payment is due but not yet paid as per Section 6a or 6b of this Agreement, the City may withhold the issuance of a temporary or permanent Certificate of Occupancy for the commercial tenant improvement until payment is received, and Applicant agrees not to occupy or use the premises until payment is made and a permanent Certificate of Occupancy is received.

CITY OF FOREST GROVE

APPLICANT (Business Owner or Authorized Agent)

\_\_\_\_\_  
Signature-City Manager or designee

\_\_\_\_\_  
Signature

Name:\_\_\_\_\_

Title:\_\_\_\_\_

Date:\_\_\_\_\_

Date:\_\_\_\_\_

# Attachment A

## Water System Development Charges Installment Financing Program Requirements

- The Water System Development Charges Installment Payment Plan Financing Option Program is for non-residential projects only. Applicant projects must be on sites that must be Industrial or commercially zoned and occupy previously vacant building space
- The financing term will be set with payments made each year or quarter year of the term.
- A maximum of ten years will be allowed for repayment.
- An interest rate will be charged using the current prime interest rate, plus two percent (2%).
- The obligation to pay the SDC pursuant to a financing installment payment agreement shall be secured by a lien against the property upon which the improvement will be located. The lien shall be entered into the City's lien docket as provided in Forest Grove Code Section 2.300, and may be collected in the same manner as allowed by law for collection of assessment liens.
- If applicant does not own the building and is a tenant, then the applicant shall provide a written agreement between the applicant as tenant and the property owner that the property owner agrees to accept a lien against their property and execute an agreement with the City, OR the applicant shall present sufficient real property that the City may affix a lien to.
- All applicable requirements in the City of Forest Grove Business Incentive Program Application and Agreement that this attachment is affixed to, shall apply.
- The City Manager has final approval over projects to be financed under this program